

qualifications. My experience is that some of them pay rather handsome salaries so I do not know what is being accomplished by this amendment.

THE PRESIDENT: Delegate Dukes.

DELEGATE DUKES: Delegate Carson, you have placed the noncharitable term in the context of the Internal Revenue. Do you intend it to include scientific, educational and so forth, or will you be restricted to "charitable" according to the Internal Revenue's definition which is quite limited?

DELEGATE CARSON: It would be up to the court to define it. It would be my opinion that the court would follow the definition pretty much as the Internal Revenue Service has made it. My amendment was made in that light. I think the court probably would construe it along those lines. It might be broad enough to include education or scientific ventures, if they were charitable in nature.

DELEGATE DUKES: What I am asking is your intention. Do you intend to restrict it to those institutions which would be charitable as distinguished from educational or scientific?

THE PRESIDENT: Delegate Carson.

DELEGATE CARSON: I do not intend it to have a broad enough range to include an educational or scientific enterprise if it were charitable.

THE PRESIDENT: Delegate Harkness, do you have any comment?

DELEGATE HARKNESS: I have no comment.

THE PRESIDENT: Will you take the floor to yield to a question by Delegate Gill?

DELEGATE HARKNESS: Yes.

DELEGATE GILL: It seems to me his amendment attempts to prevent judges from serving on boards of banks and savings and loan associations and making a profit, or in some other kind of business. The amendment that Delegate Carson proposes is just as legitimate, but it strikes at another thing. But if we substitute his amendment for Delegate Harkness's then Delegate Harkness has lost it completely.

THE PRESIDENT: Delegate Harkness.

DELEGATE HARKNESS: I do not quite think so. I think a thrust at my intention of the amendment was to prevent a

sitting judge from serving as a president or director of a bank or building and loan association. Now, as I read Delegate Carson's amendment he could not serve as an officer, director, or employee of any non-charitable enterprise which would embrace the same category that I had in mind as to banks and savings and loan associations.

Personally I prefer my amendment, but I do not have any strong feeling about it.

THE PRESIDENT: Delegate Gill.

DELEGATE GILL: Would his amendment substitute for Delegate Harkness's?

THE PRESIDENT: No, Delegate Harkness's amendment has been adopted. You now have a further amendment before you. It does not mean that Delegate Harkness's amendment, even though adopted, cannot be changed. Delegate Harkness's amendment would change it. It is not a substitute. You would not be voting twice. You have already adopted Delegate Harkness's amendment. Delegate Carson's amendment seems to change it. If his amendment is carried, then Delegate Harkness's amendment has been changed.

Delegate Gill.

DELEGATE GILL: Delegate Harkness's amendment has been changed. If Delegate Carson's amendment is accepted then Delegate Harkness no longer has an amendment.

THE PRESIDENT: Yes, sir, he has an amendment which has been modified. It has not been withdrawn. It has not been substituted. Nothing else has been substituted for it. It has been amended.

Delegate Gill.

DELEGATE GILL: Even though you replace one word for the other, the fact is he is not getting rid of a judge who is going to serve on a bank or on a savings and loan association.

THE PRESIDENT: He thinks he is. He disagrees with you about that.

DELEGATE GILL: He thinks he is.

THE PRESIDENT: Delegate Henderson.

DELEGATE HENDERSON: I have a question of Delegate Carson.

THE PRESIDENT: Delegate Carson, will you take the floor to yield to a question?

DELEGATE CARSON: Yes, sir.

THE PRESIDENT: Delegate Henderson.